

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kim, et al.

Group Art Unit: 1639

Serial No. 10/593,412

Examiner: STEELE, Amber D.

Filed: 09/18/06

Confirmation No.: 1249

For: CHIP PRODUCTION HYBRIDIZATION AND DATA INTERPRETATION FOR
ANTIBODY AND PROTEIN MICROARRAYS

Attorney Docket No: 3087.00024

RESPONSE

Dear Sir:

This is in response to the Office Action dated April 30, 2008, part of Paper No./Mail Date 20080428. This matter was unintentionally abandoned on December 15, 2008 for failure to respond to this Office Action within the statutory time limit, and a Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 CFR 1.137(b) is being submitted concurrent with this response. The Commissioner is authorized to charge any fee or credit any overpayment in connection with this communication to our Deposit Account No. 11-1449.

The only issue set forth in the Office Action is a restriction that is required under 35 U.S.C. 121 and 372. The restriction was required to one of the following four groups:

Group I, claims 1-11, drawn to a method of screening utilizing a polyclonal antibody microarray;

Group II, claims 1-7 and 12-15, drawn to a method of screening utilizing a monoclonal antibody microarray;

Group III, claims 16-17, drawn to a method of making an antibody microarray;

Group IV, claims 18-20, drawn to an internal control;

Group V, claim(s) 21, drawn to a method of determining optimal spotting concentrations;

Group VI, claims 22-26, drawn to a method to increase a detectable signal; and

Group VII, claims 27-30, drawn to a method of making a Phase I and Phase II antibody microarray.

Applicant elects the claims from group I, claims 1-11. The remaining non-elected claims are being withdrawn from consideration.

The Office Action further requires an election of a species and identification of the claims encompassing the elected invention. For prosecution purposes, applicant elects the species of Polyclonal and drug metabolizing enzyme, set forth in claim 4. Accordingly, Applicant is prosecuting claims 1-11.

In view of the above, it is respectfully submitted that the application is now in condition for allowance, which allowance is respectfully requested.

The Commissioner is authorized to charge any fee or credit any overpayment in connection with this communication to our Deposit Account No. 11-1449.

Respectfully submitted,
KOHN & ASSOCIATES, PLLC

/Kenneth I. Kohn/
Kenneth I. Kohn, Reg. No. 30,955
Customer No.: 48924

Dated: May 29, 2009

CERTIFICATE OF ELECTRONIC FILING VIA EFS-WEB

Date of Electronic Filing: 05-29-09

I hereby certify that this correspondence is being electronically filed with the United States Patent & Trademark Office on the above date.

/Natalie Zemgulis/
Natalie Zemgulis